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| FORM PTO-1390<br>(REV 12-2001)   |   | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | ATTORNEYS DOCKET NUMBER<br>740709-554  |
| TRANSMITTAL LETTER TO THE UNITED STATES<br>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br>CONCERNING A FILING UNDER 35 U.S.C. 371   |   |   | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>Not Yet Assigned <b>10/572571</b> |
|  |   |   |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/013687   | INTERNATIONAL FILING DATE<br>September 17, 2004 | PRIORITY DATE CLAIMED<br>September 17, 2003             |  |
| TITLE OF INVENTION NON-AQUEOUS ELECTROLYTIC SOLUTION AND LITHIUM SECONDARY BATTERY USING THE SAME  |   |   |  |
| APPLICANT(S) FOR DO/EO/US Koji ABE, et al.   |   |   |  |
| <p>Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input checked="" type="checkbox"/> This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</li> <li><input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p><b>Items 11 to 20 below concern document(s) or information included:</b></p> <ol style="list-style-type: none"> <li><input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input type="checkbox"/> A FIRST preliminary amendment.</li> <li><input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.</li> <li><input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> Other items or information:</li> </ol> |   |   |  |

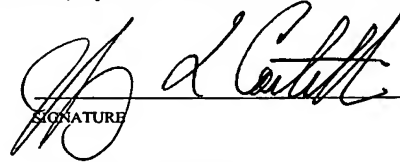
|   |              |   |            |                                       |                     |
|---|--------------|---|------------|---------------------------------------|---------------------|
| U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)<br>Not Yet Assigned   |              | INTERNATIONAL APPLICATION NO.<br>PCT/JP2004/013687                            |            | ATTORNEYS DOCKET NUMBER<br>740709-554 |                     |
| The following fees are submitted:   |              |   |            | <b>CALCULATIONS</b>                   | <b>PTO USE ONLY</b> |
| 21. <input checked="" type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....   |              |   |            | \$300.00                              |                     |
| 22. <input checked="" type="checkbox"/> Examination fee .....   |              |   |            | \$200.00                              |                     |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....   |              |   |            |                                       |                     |
| All other situations.....   |              |   |            |                                       |                     |
| 23. <input checked="" type="checkbox"/> Search fee.....   |              |   |            | \$500.00                              |                     |
| If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....   |              |   |            |                                       |                     |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....  |              |   |            |                                       |                     |
| International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....   |              |   |            |                                       |                     |
| All other situations.....   |              |   |            |                                       |                     |
| <b>TOTAL OF 21, 22 and 23 =</b>   |              |   |            | \$1000.00                             |                     |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof. |              |   |            |                                       |                     |
| Total Sheets  | Extra sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE       |                                       |                     |
| 33 - 100 =  | 0/50 =       |   | x \$250.00 | \$                                    |                     |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).  |              |   |            | \$                                    |                     |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA  | RATE       |                                       |                     |
| Total claims  | 10- 20 =     | 0   | x \$50.00  | \$                                    |                     |
| Independent claims  | 2 - 3 =      | 0   | x \$200.00 | \$                                    |                     |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |   | + \$360.00 | \$                                    |                     |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |              |   |            | \$1000.00                             |                     |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |   |            | \$                                    |                     |
| <b>SUBTOTAL =</b>   |              |   |            | \$1000.00                             |                     |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).   |              |   |            | \$                                    |                     |
| <b>TOTAL NATIONAL FEE =</b>   |              |   |            | \$1000.00                             |                     |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +  |              |   |            | \$40.00                               |                     |
| <b>TOTAL FEES ENCLOSED =</b>  |              |   |            | \$                                    |                     |
|   |              |   |            | Amount to be refunded:                | \$                  |
|   |              |   |            | Amount to be charged:                 | \$1,040.00          |

- a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 19-2380 (740709-554) in the amount of \$1,040.00 to cover the above fees. A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 19-2380. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

NIXON PEABODY LLP  
401 9<sup>th</sup> Street, N.W.  
Suite 900  
Washington, D.C. 20004-2128



SIGNATURE

Jeffrey L. Costellia

NAME

35,483

REGISTRATION NUMBER